

TESTIMONY OF CONGRESSMAN KEN CALVERT

HOUSE WAYS AND MEANS COMMITTEE
SUBCOMMITTEE ON SOCIAL SECURITY

May 6, 2008

Hearing on Employment Eligibility Verification Systems and the Potential Impacts on
SSA's Ability to Serve Retirees, People with Disabilities, and Workers

Congressman Calvert Statement on H.R. 19, to require employers to conduct employment eligibility verification

I would like to thank my colleague from New York, Chairman McNulty, Ranking Member Johnson, and the entire subcommittee for inviting me to testify on my bill, H.R. 19, which would require employers to conduct mandatory employment eligibility verification using the E-Verify system.

Before I came to Congress, I owned and operated several restaurant businesses. I was required by law to hire a legal workforce but there was no tool available to determine if the identifying documentation was fraudulent. When I first began thinking about employment verification in 1996, I wanted to create a system that would utilize existing information and processes.

At that time, and still today, every employer is required to file an I-9 form based on paper identification documents. My solution was simple: provide employers a way to check that a given name and Social Security number match government records of work authorization. Today, E-Verify has over 63,000 employers nationwide participating in the voluntary program. In fact, approximately 13,000 participating businesses are from states represented by the members of this Subcommittee. My bill, H.R. 19, would make E-Verify mandatory.

Of the millions of queries run through the computer based E-Verify system, 92% of employees are instantly verified. Individuals who are given a tentative non-confirmation are given eight business days to contact SSA or DHS regarding their case. Currently one percent of all queried employees choose to contest an E-Verify result and only half of them - **point five percent** - are successful. E-Verify is doing the job it was intended: denying employment to people in the United States not authorized to work.

I understand the Social Security Subcommittee's role is to safeguard the integrity of the Social Security system. At this hearing, people may criticize the 4.1% inaccuracy rate of the SSA database. Some people may worry that if E-Verify is made mandatory for the roughly 6 million employers in the United States, it would overload the Social Security system. That is why my bill would provide a way in which the transition could benefit the SSA database in a managed and thoughtful way.

H.R. 19, would phase in the mandatory requirement over seven years and does not require retroactive employment checks. Additionally, the E-Verify program has expanded the National Customer Service Call Center which would provide an alternative way of correcting non-confirmations in addition to the traditional visit to a local SSA field office.

The SSA database is not perfect – no database is. If employment verification is made mandatory, individuals lawfully allowed to work in the U.S. will have the opportunity to rectify existing errors in the current SSA database. In order to receive earned benefits workers must make these corrections at some point anyway.

The question before this subcommittee is whether Congress will provide the SSA and DHS with the resources required for mandatory employment verification. Certain interests, such as some in the business community, will tell you there is a better way – some new, perfect system with no inaccuracies. That is simply not true.

There is no perfect system and as we sit here today, we should remember not to make the “perfect” the enemy of the good. E-Verify is an extremely effective program and as we've seen from recent actions all over the country, from Arizona to Rhode Island, mandatory employment verification is quickly becoming a reality. As Members of Congress responsible for controlling our borders and enforcing legal employment, let's build upon what works and give the American people what they want: mandatory employment verification.

Thank you again for inviting me to testify and I welcome any questions you may have.